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PATENT

Customer No. 22,852

Attorney Docket No. 3495.0187-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
COEN et al. ) Group Art Unit: 1646 8/B  
Serial No.: 09/501,787 ) Examiner: Jiang M.Q  
Filed: February 11, 2000 ) 8/7/01  
For: HYBRID TETANUS TOXOID )  
PROTEINS THAT MIGRATE )  
RETROGRADELY AND )  
TRANSYNAPTICALLY INTO )  
THE CNS )

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In a restriction requirement dated July 3, 2001, the Examiner required restriction under 35 U.S.C. § 121 between:

Group I - Claims 1-16, and 28-31, in part, drawn to a method for *in vivo* delivery of a composition of DNA or cells containing such to CNS, which reads on gene therapy;

Group II - Claims 1-11, and 31, in part, drawn to a method for *in vivo* delivery of a composition of protein to CNS, which reads on protein therapy; and

Group III - Claims 17-27, in part, drawn to a polypeptide, a polynucleotide encoding such, a vector, and a cell containing the polynucleotide.

**Preliminary Amendment**

Please amend the claims as follows: